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PLANNING DEPT.

**BEFORE THE HEARING EXAMINER FOR THE CITY OF EDMONDS**

Phil Olbrechts, Hearing Examiner

RE: (1) City of Edmonds Noise  
Variance.

PLN2012-0003; and

(2) Kamila and Mirosław  
Kanczugowski Setback  
Variance

PLN20120004

**REVISION TO FINDINGS OF FACT,  
CONCLUSIONS OF LAW AND FINAL  
DECISIONS**

Due to conflicts in appeal regulations, the "Appeal Right and Valuation Notices" section of the above-captioned two hearing examiner decisions incorrectly states that the final variance decision is appealable to superior court. The decisions must be appealed to the Edmonds City Council prior to any appeal to superior court. The "Appeal Right and Valuation Notices" is located after the signature line of the above-captioned final decisions. The "Appeal Right and Valuation Notices" is revised to provide as follows:

***Appeal Right and Valuation Notices***

*This decision is final and subject to appeal to the Edmonds City Council as governed by ECDC 20.07.004. Pursuant to ECDC 20.07.004(B), an appeal must be filed within 14 days after the issuance of the hearing examiner's final written decision.*

*Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.*

1 Conclusion of Law No. 1 to both of the above-captioned variance decisions is revised  
2 to provide as follows:

3 1. Authority of Hearing Examiner. ECDC 20.01.003(A) provides the  
4 Hearing Examiner with the authority to review and act upon variance  
applications as Type III-B decisions.

5 The issuance date for purposes of computing appeal deadlines shall be based upon the  
6 issuance of this decision revision as opposed to the **FINDINGS OF FACT,**  
7 **CONCLUSIONS OF LAW AND FINAL DECISION** for the two above-captioned  
variances.

8 Dated this 3rd day of May, 2012.

9 

10 Phil A. Olbrechts  
11 Edmonds Hearing Examiner  
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## DECLARATION OF MAILING

Variances – PLN20120003 (Edmonds) and PLN2012004 (Kancyugowski)

I, Phil Olbrechts, make the following declaration:

1. I am a resident of the State of Washington, over the age of 18 years, not a party to this action, and competent to be a witness herein.

2. On the 3rd day of May, 2012, I mailed, via First Class U.S. Mail, a true and correct copy of the **REVISION TO FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECISIONS** for Edmonds Planning Numbers PLN20120003 (Edmonds) and PLN2012004 (Kancyugowski) as follows:

### **PLN20120003 (Edmonds) and PLN2012004 (Kancyugowski):**

Diane Cunningham  
121 5<sup>th</sup> Ave N  
Edmonds, WA 98020

Alvin Rutledge  
7101 Lake Ballinger Way  
Edmonds, WA 98020

### **PLN2012004 (Kancyugowski):**

Kamila and Miloslaw Kanczugowski  
23811 77<sup>th</sup> Place West  
Edmonds, WA 98026

Daniel Kanczugowski  
23811 77<sup>th</sup> Place West  
Edmonds, WA 98026

Russell and Loretta Olson  
23800 77<sup>th</sup> Place West  
Edmonds, WA 98026

Michael Cimino and Mary Clara Horrigan

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7707 238<sup>th</sup> PL SW  
Edmonds, WA 98026

Jennifer Fillmore  
7632 238<sup>th</sup> PL SW  
Edmonds, WA 98026

Sarah S. Mixson and Oshuna Oma  
23807 77<sup>th</sup> Place West  
Edmonds, WA 98026

**PLN20120003 (Edmonds):**

Roger Hertrich  
1020 Puget Dr.  
Edmonds, WA 98020

Jim Carson  
7735 168<sup>th</sup> PL SW  
Edmonds, WA 98026

Pam Lemcke  
City of Edmonds  
121 – 5<sup>th</sup> Ave. N.  
Edmonds, WA 98020

Rodney Langer  
CHS Engineers, LLC  
12507 Bel-Red Rd, Suite 101  
Bellevue, WA 98005

I declare under penalty of perjury under the laws of the State of Washington and  
the State of California that the foregoing is true and correct.

EXECUTED at Huntington Beach, California, this 3rd day of May, 2012.

  
\_\_\_\_\_  
Phil Olbrechts